

COMMISSION DIRECTIVE

ADMINISTRATIVE DEPT.	<input type="checkbox"/>	DATE	<u>March 1, 2005</u>
TRANSPORTATION DEPT.	<input type="checkbox"/>	DOCKET NO.	<u>2004-340-W</u>
UTILITIES DEPT.	<input checked="" type="checkbox"/>	ORDER NO.	<u>-</u>

SUBJECT:

DOCKET NO. 2004-340-W – Carolina Water Service, Inc. – Application for approval of a contract with May Green Properties, LLC for water service in York County, as well as certain other counties in the State. Office of Regulatory Staff does not oppose the application of Carolina Water Service, Inc. or the waiver of hearing prayed for therein. Discuss this matter with the Commission.

COMMISSION ACTION:

Carry Over Discussion:

Carolina Water Services (CWS) is asking for approval of a contract with May Green Properties, LLC. Under this contract May Green Properties will construct the water distribution facilities in two new subdivisions it is developing, The Cove and The Cove South, and will connect the water distribution facilities to the CWS's existing River Hills Water System. May Green Properties will turn over the water distribution facilities to CWS, and CWS will waive tap fees in these developments. I support this contract except for Article III, Item 1, which prohibits any private wells in these developments. Although such restrictions can and are included in some Homeowner Covenants, many subdivisions allow private wells to supply water for restricted usage such as irrigating lawns and shrubs. This Commission has no jurisdiction over Homeowner Covenants, nor should it. Such restrictions may be included in Homeowner Covenants, but this Commission should not be approving such restrictions to use of private property.

Action: - Commission carried this item over to allow time to investigate its responsibilities and authority in approving such contract.

PRESIDING Mitchell

	MOTION	YES	NO	OTHER	APPROVED	<input type="checkbox"/>
					APPROVED STC 30	<input type="checkbox"/>
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		DAYS	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	<input type="checkbox"/>
HAMILTON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		DENIED	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		TRANSFERRED	<input type="checkbox"/>
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	<input type="checkbox"/>
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		CANCELED	<input type="checkbox"/>
					SET FOR HEARING	<input type="checkbox"/>
Session: Regular					ADVISED	<input type="checkbox"/>
Time of Session <u>2:30 PM</u>					CARRIED OVER	<input checked="" type="checkbox"/>
					RECORDED BY	<u>JBS</u>